GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

PS - PR&RD Dept. –RWS&S-Visakapatnam District- Irregularities in execution of "CPWS Scheme to 127 habitations in Mungapaka and Parawada mandals in Visakapatnam District"- Disciplinary proceedings against Sri.Y.Anand, the then Deputy Executive Engineer, RWS SD, Anakapalli, Visakapatnam District and presently working as Deputy Executive Engineer, RWS&S(P) sub Division, Visakhapatnam under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 - Article of Charges - Issued

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PANCHAYAT RAJ & RURAL DEVELOPMENT (Vig. VI) DEPARTMENT

G.O.RT.No. 433 Dated: 09-05-2016
Read:

From the DG, V&E, VR No.64 (C.No.665/ V&E/E2/ 2012), Dt.10.09.2015.

ORDER:

It is proposed to hold an inquiry against Sri.Y.Anand, the then Deputy Executive Engineer, RWS SD, Anakapalli, Visakapatnam District and presently working as Deputy Executive Engineer, RWS&S(P) sub Division, Visakhapatnam in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services(classification, control and appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of article of charges (Annexure-I). A statement of imputations of misconduct or misbehavior in support of the Article of Charges framed against Sri.Y.Anand, the then Deputy Executive Engineer, RWS SD, Anakapalli, Visakapatnam District and presently working as Deputy Executive Engineer, RWS&S(P) sub Division, Visakhapatnam is enclosed(Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained are also enclosed (Annexure III and IV).

3. Sri.Y.Anand, the then Deputy Executive Engineer, RWS SD, Anakapalli, Visakapatnam District and presently working as Deputy Executive Engineer, RWS&S(P) sub Division, Visakhapatnam is directed to submit a Written statement of his defence within 10 days of the receipt of this order.

4. Sri.Y.Anand, the then Deputy Executive Engineer, RWS SD, Anakapalli, Visakapatnam District and presently working as Deputy Executive Engineer, RWS&S(P) sub Division, Visakhapatnam is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri.Y.Anand, the then Deputy Executive Engineer, RWS SD, Anakapalli, Visakapatnam District and presently working as Deputy Executive Engineer, RWS&S(P) sub Division, Visakhapatnam is further informed that if he does not submit his written statement of defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiring Authority may hold the inquiry against him ex parte.

6. Attention of Sri.Y.Anand, the then Deputy Executive Engineer, RWS SD, Anakapalli, Visakapatnam District and presently working as Deputy Executive Engineer, RWS&S(P) sub Division, Visakhapatnam is invited to Rule 24 of the Andhra Pradesh Civil Services(Conduct) Rules1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri.Y.Anand, the

(p.t.o)

then Deputy Executive Engineer, RWS SD, Anakapalli, Visakapatnam District and presently working as Deputy Executive Engineer, RWS&S(P) sub Division, Visakhapatnam is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of Andhra Pradesh Civil Services(Conduct) Rules, 1964.

7. The receipt of the order be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

To

Sri.Y.Anand, the then Deputy Executive Engineer, RWS SD, Anakapalli,
Visakapatnam District through Engineer-in-Chief, Rural Water
Supply & Sanitation Department, Hyderabad.
The Engineer in Chief, Rural Water Supply & Sanitation,
Hyderabad. (with a request to serve the charges to the individual
and furnish a served copy to Govt.,)
SF/SC.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE I

Statement showing the article of charges framed against Sri Y.Anand, the then Deputy Executive Engineer, RWS&S Anakapalli and presently working as DyEE, RWS&S(P) sub Division, Visakhapatnam.

CHARGE1:

That Sri Y.Anand, while working as Deputy Executive Engineer, RWS sub Division, Anakapalli has committed certain irregularities duly check measured & recommended for payment for inferior quality of M-30 Grade concrete for side wall of Clari-Flocculator which is liable for rejection due to which an amount of Rs.5,54,166/- (Rs.2,14,819/- + Rs.3,39,347/-) caused loss to Government exchequer for the work "CPWS Scheme to 127 habitations in Munagapaka and Parwada mandals".

CHARGE2:

That Sri Y.Anand, while working as Deputy Executive Engineer, RWS sub Division, Anakapalli has (i)failed to recover the seigniorage charges based on the new rates. (ii) failed to deduct the seigniorage charges for the earth work items as well as sand filling in the trenches from the running bills and there by an amount of Rs.16,32,965/- caused loss to Government exchequer.

Thus Sri Y.Anand, the then Deputy Executive Engineer by his above mentioned acts has exhibited lack integrity, devotion to duty and conduct unbecoming of Government Servant and thereby contravened the rules 3(1) &3(2) of A.P.C.S.(Conduct) Rules,1964.

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE II

Statement of Imputations of Misconduct in support of the Articlie of Charges framed against Sri Y.Anand, the then Deputy Executive Engineer, RWS&S Anakapalli and presently working as DeputyExecutiveEngineer, RWS&S(P) sub Division, Visakhapatnam

Charge:I-

As per theGeneral Administration(V&E) Department Vigilance Report No.64 (C.No.665 /V&E /E2/2012), dt.10.09.2015, Sri Y.Anand, while working as Deputy Executive Engineer, RWS sub Division, Anakapalli has committed certain irregularities duly check measuring inferior quality of M-30 grade concrete for side walls of Clari-Flocculator and recommended to payments to the work "CPWS Scheme to 127 habitations in Munagapaka and Parwada mandals".

When the V&E Department conducted tests side wall of ClariFlocculator is ranging from 15.1 to 18.8 N/mm^2 against the required strength of 22.50 N/mm^2 and the average strength achieved is 16.56 N/mm^2 thereby failed to satisfy the required strength as per clause 17.4.3 of IS:456:2000. The concrete cores were taken on the cylindrical wall of Clari-Flocculator at 0.30 mt below the joint portion. As per the SP 241983 Clause 16.4 in practice it is usual to secure three no.of cores and average the strength results. Otherwise further core tests may be carried out or a load test to be conducted. The verification agencies cannot go on extracting the cores from the concrete member, till the satisfactory results are achieved and as per clause 17.4.1 of IS: 456-2000 the no.of cores required. But, he failed to do and made payment thereby an amount of Rs.3,39,347/- loss to Government.

It is further mentioned in the Vigilance report that Sri Y.Anand, while working as Deputy Executive Engineer has check measured and recommended to payment for inferior quality of M-30 Grade concrete. As per the sanctioned estimate data for M-30 Grade concrete, cement quantity of 441.60 kg/cum was proposed, but the design mix for M-30 Grade concrete obtained from Andhra University college of Engineering, Visakhapatnam is 391 kg/cum only. The payment were made for 923 cum of concrete without revising the actual cement quantity utilized as per design mix. Thereby an amount of Rs.2,14,819/- is caused to loss to Government exchequer.

Charge:II-

As per theGeneral Administration (V&E) Department Vigilance Report No.64 (C.No.665 /V&E /E2/2012), dt.10.09.2015, the V&E Officials reported that, Sri Y.Anand, while working as DyEE, RWS sub Division, Anakapalli has recovered the Seigniorage charges based on the old rates for sand at Rs.36/- per cum & metal at Rs.45/- per cum instead of revised seigniorage charges for sand & metal at Rs.40/- & Rs.50/- per cum respectively.

The V&E Depatment also reported that, he failed to deduct the seigniorage charges for the items such as earthwork excavation for foundation of structures and pipeline trenches to the extent of 59907.58 cum and sand filling in pipeline trenches to the extent of 6077.81 cum. And thereby and there by an amount of Rs.16,32,965/- caused loss to Government exchequer.

From this it is evident that he has shown Gross negligence towards his Legitimate Duties, lack of integrity, and conduct unbecoming a Government servant and thereby violated Rule 3(1) & 3(2) of APCS (CC&A) Rules, 1964.

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE -III

List of the documents by which the Article Charges framed against Sri Y.Anand, while working as Deputy Executive Engineer, RWS Sub Division, Anakapalli and presently working as DyEE, RWS(P) SD, Visakapatnam.

Govt Memo.No.14845/Vig.I/2015, dt.03.03.2016 of PR&RD (Vig.I) Dept., along with Vigilance Report No.64(C.No.665/V&E/E2/2012), dt.10.09.2015 of the GA(V&E)Department.

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER

ANNEXURE - IV

List of witnesses by which the Article Of Charges are framed against Sri Y.Anand, while working as Deputy Executive Engineer, RWS Sub Division, Anakapalli and presently working as DyEE, RWS(9) SD, Visakapatnam.

- NIL -

DR.K.S.JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT (PR)

SECTION OFFICER